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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
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10 IN RE: BEXTRA AND CELEBREX
11 MARKETING, SALES PRACTICES AND
12 PRODUCTS LIABILITY LITIGATION

13 This document relates to:

14 EUGENE JACKSON
15 Individual Case No. 3:05-cv-05384-CRB

) Case No. M:03-CV-01699-CRB

) MDL No. 1699

) JUDGE BREYER

) **STIPULATION AND ORDER OF**
) **DISMISSAL ONLY AS TO CASE**
) **NUMBER 4:05-cv-01011-FJG,**
) **ORIGINALLY FILED IN THE**
) **WESTERN DISTRICT OF MISSOURI**

16 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel for Plaintiff and
17 counsel for Defendants that the Complaint of Plaintiff Eugene Jackson, Case Number
18 4:05-cv-01011-FJG, originally filed in the Western District of Missouri on October 21, 2005 and
19 later transferred to MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales Practices and*
20 *Products Liability Litigation*, with the assigned individual case number 3:05-cv-05384-CRB, may
21 be and is hereby dismissed without prejudice.

22 **This Stipulation and Order of Dismissal does not relate to nor does it have any effect**
23 **upon the following action within which Eugene Jackson is also a named plaintiff: *Eugene***
24 ***Jackson v. G.D. Searle & Co.*, Case Number CV05-6258-AHM (ex) (a “Celebrex” complaint),**
25 **originally filed in the Central District of California .**

26 The parties hereby stipulate that Plaintiff will proceed in the MDL only through the
27 California action, and jurisdiction and venue for the trial of the action will be proper in whichever of
28 the following is selected by Pfizer: San Francisco, Los Angeles, Missouri.

1 The parties shall each bear their own costs.

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3 Dated: April 21, 2006

ROBINSON, CALCAGNIE & ROBINSON

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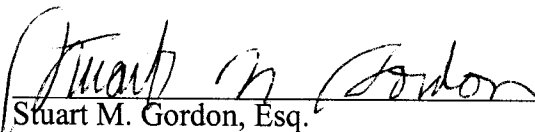
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16 *Counsel for Plaintiff*

EUGENE JACKSON

17
18 Dated: April 24, 2006

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25 *Defendants' Liaison Counsel*

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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3 Dated: May 12, 2006

HONORABLE CHARLES R. BREYER

